

3:08CV299-3-MU

Defendant.

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Upon a careful review of Plaintiff's Complaint, the Court has determined that the matters about which Plaintiff complains are identical to the claims which he already raised in previous Complaint which this Court dismissed. (See 3:08cv138). The principle of res judicata operates to bar further claims by parties or their privies based on the same cause of action that has been previously adjudicated on the merits. See Young-Henderson v. Spartanburg Area Mental Health Ctr., 945 F.2d 770, 773 (4th Cir. 1991).

IT IS THEREFORE ORDERED THAT Plaintiff's Complaint is DISMISSED based on principles of res judicata and for failure to state a claim for relief.¹

SO ORDERED.

Signed: July 2, 2008



Graham C. Mullen
United States District Judge



¹ The fact that Plaintiff now includes a conclusory sentence that his injuries which included a "bruised heel, lower back pains, increased blood pressure as well as migraine headaches and dizziness" were diagnosed by medical staff does not alter the Court's analysis in Plaintiff's original case (3:08cv138) that Plaintiff does not allege that he suffered anything more than a de minimus injury.